IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.64095-M of 2006
Date of Decision:- 23.1.2007

Shakti Singh ....Petitioner(s)

through
Mr.A.S.Trikha, Advocate

vs.

The State of Haryana & ors. ....Respondent(s)

through
Mr.R.D.Sharma, DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner, who is a life convict under Section 302/307/148/149 IPC, is aggrieved at the order dated 13.9.2006 (Annexure P-2) passed by the Director General of Prisons, Haryana, denying him parole for agricultural purposes on the ground that he has recently availed agricultural parole for the year 2005 from 28.12.2005 to 9.2.2006.

In the written statement also, while reiterating the same plea, the respondents have further averred that after availing the above-stated agricultural parole, the petitioner has availed two weeks' furlough from 3.6.2006 to 18.6.2006 and four weeks parole from 19.6.2006 to 18.7.2006.

In the impugned order itself, it is admitted by the Competent Authority that one agricultural parole is permissible in a year.

From the above-said stand taken by the respondents, it appears that the petitioner has not availed the agricultural parole for the year 2006 though he was granted other parole/furlough during the said year.

Be that as it may, the year 2007 having commenced, there

appears to be no reason for not considering the petitioner's request for parole for agricultural purposes at this juncture.

Consequently, this petition is allowed; the impugned order dated 13.9.2006 (Annexure P-2) is quashed and a direction is issued to the Director General of Prisons, Haryana to reconsider the petitioner's case for agricultural parole within a period of one month from the date of receipt of certified copy of this order.

January 23, 2007 **(SURYA KANT)**
poonam **JUDGE**